

Federal Junk Gun Legislation

What are junk guns?

Junk guns are small, cheaply manufactured, easily concealable handguns that fail to meet the quality and safety standards required of imported handguns. They are prone to misfire and malfunction and are disproportionately used in the commission of crimes.

The Gun Control Act of 1968 established minimum quality and safety standards that handguns must be for importation, but similar weapons manufactured in the United States are not subject to the same standards.



A domestic market proliferated, rising notably due to six major manufacturers from the “Ring of Fire” in California that produced these types of handguns. In order to mass produce these handguns as cheaply as possible, design sacrifices were made using softer metals with lower melting points that makes them prone to misfires and malfunction. In spite of being unreliable for self-defense or sporting purposes, these junk guns were five of the 10 crime guns most frequently traced by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in 2000. Some of these same handguns continue to be recovered at high levels by Chicago Police ten years later.

Why do we need federal regulation?

Handguns represent the vast majority of the weapons used in the commission of violent crimes. The 2011 Murder Analysis Report from the Chicago Police Department reported that 351 out of 362 murders committed with a firearm that year were handguns – 97%. In addition to being dangerous, these weapons are generally considered unreliable for self-defense and are among the most frequently traced guns.

In the absence of a clear federal standard, individual states have adopted standards for firearms in their jurisdiction. Some of the manufacturers have simply relocated and sold their firearms to the remaining jurisdictions. In Chicago, 58.3% of the firearms recovered and traced from 2008-2010 came from outside the State of Illinois. A good portion come from Indiana and Wisconsin, but there has been a consistent pattern of firearms from Mississippi and other southern states that are recovered by the Chicago Police Department. The last Crime Gun Trace Report (2000) noted that “Mississippi, Kentucky, and Georgia are important national source areas for Chicago, IL.”

Here in Illinois, state legislators are working on court-mandated conceal and carry legislation. In spite of whatever sensible restrictions they put in place, I think most reasonable people know the interest in small and easily-concealable handguns will go up. Now is the time to remove the most unsafe handguns from the market. Handguns made in America should meet the same safety requirements as those made outside our borders.

What does the Junk Gun bill do?

The bill applies the same safety standards to domestic manufactured handguns that exist for imported handguns. It makes it unlawful to possess or transfer junk guns, which fail to meet the criteria established by the ATF as “suitable for sporting purposes.”

“I am concerned about the assault weapons and high capacity magazines. But I am also concerned by the ‘slow-moving massacre’ that is occurring every day with handguns. When we regulate cars and cribs and a whole host of products to ensure they are safe for public consumption – how does it not make sense that we have basic safety standards for dangerous handguns?” – Rep. Luis V. Gutierrez